CGHC010418232026 2026:CGHC:46631

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1815 of 2026

- Raja Bhatiya S/o Shri Manjeet Singh Bhatiya, Aged About 39 Years R/o Budhwari Para, Ward No. 15, Dongargarh, Police Station Dongargarh, District Rajnandgaon C.G.

... Applicant

versus

- The State Of Chhattisgarh Through Station House Officer, Police Out Post - Mohara, Police Station Dongargarh, Distt. Rajanandgaon C.G.

... Non-Applicant

For Applicant : Mr. Khilendra Sahu, Advocate
For State : Mr. Keshav Gupta, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04.11.2026

1. This first anticipatory bail application, filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023, has been filed by the applicant, who is apprehending his arrest in connection with in connection with Crime No. 537/2026 registered at Police Out Post – Mohara, Police Station Dongargarh, District Rajnandgaon (C.G.), for the offence punishable under Sections 34(2), 36 & 59(A) of C.G. Excise Act and Sections 111, 338, 336(3) & 340(2) of BNS.

2. The case of the prosecution, in brief, is that the police of Police Station Dongargarh received an information from the informant and on the basis of said information conducted a raid and seized 89.46 bulk liters of liquor from

possession of the co-accused persons. Subsequently, on the basis of memorandum statement of co-accused, the present applicant was arrested, and police registered aforesaid offence against him.

3. Learned counsel for the applicant submits that the present applicant has falsely been implicated in this case and the said 89.46 bulk liter of liquor was not seized from the exclusive possession of the applicant and he has been implicated solely on the basis of memorandum statement of co-accused. It is submitted that the present applicant has five criminal antecedents and all cases have already been disposed of and no case of similar nature is pending against him. He would pray for grant of bail to the present applicant.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the charge-sheet has been filed in the present case before the competent Court.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Having considered the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicant and fact that no liquor was seized from possession of the present applicant and his implication in the case is based on the memorandum statement of co-accused. Though, applicant has five criminal antecedents, all cases have already been disposed of and no case of similar nature is pending against him. Further, looking to the quantity of the liquor, I am inclined to allow this bail application.

7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of each of the applicant executing a personal bond for a sum

of Rs. 50,000/- with one surety of an equal amount to the satisfaction of the concerned arresting officer, he shall be released on anticipatory bail, on the following conditions:-

(a) he shall make himself available for interrogation by a police officer as and when required;

(b) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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